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Dated: September 22, 2006 Signature:

Christine M. Holmes

Docket No.: 1235_001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ramon M. Velez, Jr.

Application No.: 10/747,720

Confirmation No.: 5879

Filed: December 29, 2003

Art Unit: 1746

For: HIGH PRESSURE INTERNAL CLEANING
METHOD AND APPARATUS

Examiner: Z. El Arini

RESPONSE TO EXAMINER'S ANSWER

MS Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Examiner's Answer mailed September 7, 2006 regarding the subject application.

The appellants have reviewed the comments made by the Examiner in his Answer and believe that they are unpersuasive in establishing a *prima facie* case of obviousness.

In respect to Swanick reference, U.S. Patent 1,492,905, the Examiner has failed to address the issue of non-analogous art, and the Appellants persist in their position that this patent is not within analogous art since, for the purpose of improving its manufacturing processes, one skilled in the art of the manufacture of turbine blades is not likely to look to a 1924 patent that shows a method and apparatus for unloading high explosive shells.

For the purposes of argument, the appellants have addressed the differences in the teaching of the Swanick reference and that of the present invention. In this regard, the Examiner has said that "washout the contents, flushing the internal surface and emptying the contents from the surface are all equivalent". The appellants disagree.

The use of a single stationary probe for insertion within a high explosive shell to remove the high explosive charge therein is substantially different from advancing a plurality of probes into a plurality of cavities to flush the inner surfaces thereof as taught by the present invention. Further, neither the Buongiorno nor the Swanick references shows or suggests the step of inserting a plurality of probes into each of a plurality of parts.

In respect to the issue as to whether Swanick provides a "guide member as claimed" as suggested by the Examiner, the Examiner's Answer now indicates that he considers the member 2 to be guide member. In this regard, the appellants agree that this is a guide since the specification refers to "upwardly extending vertical tubular shell guides 2 spaced apart along the channel and of sufficient height to properly support and guide the shells". But the appellants believe that it cannot be reasonably considered to be a guide member as claimed since it is not a "guide member having a plurality of passages formed therein, including adjacent passages that are in a common plane parallel to said first plane and including adjacent passages that are in a common plane other than said first plane and wherein said each of said passages has an axis aligned in coincidence with a respective port opening" as recited in claim 11.

In respect to the claimed feature regarding probes of different length, the Examiner has agreed that "the references fail to disclose probes of different length". However, the Examiner goes on to say that "one skilled in the art would choose the length of the probes depend on the depth of the cavities. See Buongiorno, Figs. 3 and 4. Using the hoses in Kenton et al. will be able to perform the same function of using the probes as claimed". The appellants disagree.

In the Figures 3 and 4 embodiments of Buongiorno, the distinction being made is that in the Fig. 3 embodiment the tube is inserted through a hole located in the root of

the blade, whereas in the Fig. 4 embodiment, the hole is drilled into the shroud of the blade. Although the probe in the Fig. 3 embodiment is advanced further into the cavity than that of the Fig. 4 embodiment, the appellants believe that there is no showing or suggestion that the method of cleaning includes the step of advancing a plurality of probes having different lengths such that the probes pass through the respective passages and into respective internal cavities as recited in claim 14.

In respect to the Examiner's statement that "using hoses in Kenton et al. will be able to perform the same function of using the probes as claimed", the appellants strongly disagree. The use of hoses with no probe only brings the flushing fluid to the entrance of the cooling passage openings, and the reaching into the cavities relies totally on the pressure of the fluid. In contrast, the present invention uses probes of different lengths such that each probe brings the source of the fluid to a desired point within the cavity so as to obtain improved flushing capabilities.

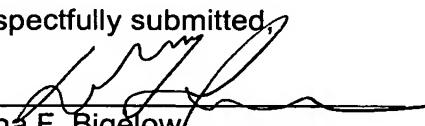
For the reasons set forth hereinabove, the appellants believe that the Examiner has not met his obligations to present a *prima facie* case of obviousness. Accordingly, a reversal of the Examiner's rejections and a passing of a case to issue is respectfully requested.

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 21-0279, under Order No. 1235_001 from which the undersigned is authorized to draw.

Dated: September 22, 2006

Respectfully submitted,

By


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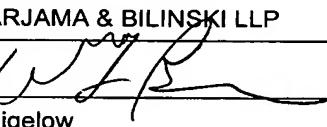
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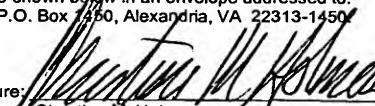
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 10/747,720-Conf. #5879
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		First Named Inventor Ramon M. Velez, Jr.
		Art Unit 1746
		Examiner Name Z. El Arini
Total Number of Pages in This Submission 4		Attorney Docket Number 1235_001

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	WALL MARJAMA & BILINSKI LLP		
Signature			
Printed name	Dana F. Bigelow		
Date	September 22, 2006	Reg. No.	26,441

Transmittal	
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